

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Consumer Protection and Safety Division Rail Transit and Crossing Branch Rail Transit Safety Section	Resolution ST-147 December 20, 2012
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R E S O L U T I O N

RESOLUTION ST-147. GRANTING APPROVAL OF THE FINAL REPORT ON THE 2012 TRIENNIAL ON-SITE TRIENNIAL SAFETY REVIEW OF THE NORTH COUNTY TRANSIT DISTRICT.

SUMMARY

This Resolution approves the Consumer Protection and Safety Division final report titled "2012 Triennial On-Site Safety Review of North County Transit District," dated October 10, 2012. The North County Transit District is ordered to implement the recommendations contained in the report and to provide monthly progress reports.

BACKGROUND

Commission General Order 164-D, *Rules and Regulations Governing State Safety Oversight of Rail Fixed Guideway Systems*, requires staff to conduct on-site safety reviews of transit agencies operating Rail Fixed Guideway Systems at least once every three years.

The Rail Transit Safety Section (RTSS) staff conducted an on-site safety review of the North County Transit District (NCTD) beginning April 30, 2012 and concluding May 3, 2012. Staff conducted a post-review exit conference with NCTD management on June 22, 2012.

The methods used to conduct the safety review included:

- a. Interviews with NCTD employees at all levels from rank and file through NCTD management;

- b. Reviews of design, construction, procurement, testing, training, operation and maintenance programs;
- c. Reviews of records and procedures;
- d. Observation of operations and maintenance activities; and
- e. Inspections of equipment and facilities.

A full description of the safety review, including the scope, results, and recommendations, is contained in the final safety review report identified in this resolution as Attachment A.

The safety review results show NCTD is generally in compliance with its System Safety Program Plan; however, some program areas of non-compliance were identified during the review. These non-compliant items along with recommendations for corrective actions are described, where applicable, in the Findings/Comments/Recommendations section of each checklist and in the body of the final report. A summary of recommendations requiring corrective action is contained in Appendix C of the report.

PROTESTS

Staff sent NCTD a draft safety review report for a 30-day review and comment period on September 4, 2012, and NCTD sent back revision comments on October 3, 2012. Staff revised the draft safety report and NCTD's Chief Executive Officer sent an email dated October 25, 2012 confirming the safety report's accuracy and accepted all recommendations.

DISCUSSION

The final report, "2012 Triennial On-Site Safety Review of North County Transit District," dated October 10, 2012, is included as Attachment A. The report is based on staff findings and includes recommendations.

NCTD stated to staff they will develop corrective action plans to address all recommendations as soon as it receives the final report. NCTD will provide monthly status updates of their corrective actions until completion.

The Commission Consumer Protection and Safety Division (CPSD) recommends the Commission approve the final safety report titled, "2012 Triennial On-Site

Safety Review of North County Transit District," dated October 10, 2012. CPSD also recommends the Commission order NCTD to:

- Submit a report to the RTSS, which identifies the corrective actions status for safety program areas of non-compliance identified by staff;
- Submit plans and schedules for implementing and completing the recommended corrective action contained in the report;
- Implement the recommendations in accordance with the plans and schedules submitted; and
- Provide the RTSS with monthly progress reports on the status of the corrective actions until they are completed and implemented.

NOTICE

On November 8, 2012, staff's request for approval of the final safety review report titled, "2012 Triennial On-Site Safety Review of North County Transit District," dated October 10, 2012, was published on the Commission's Daily Calendar.

COMMENTS

The draft resolution of the CPSD in this matter was mailed in accordance with Section 311 of the Public Utilities Code and Rule 14.2(c) of the Commission's Rules of Practice and Procedure. _____ comments were received.

FINDINGS

1. The RTSS staff conducted an on-site safety review of NCTD beginning April 30, 2012 and concluding May 3, 2012. Staff conducted a post-review exit conference with NCTD management on June 22, 2012.
2. The safety review results show NCTD is generally in compliance with its System Safety Program Plan; however, some program areas of non-compliance were identified during the safety review. The non-compliant items along with recommendations for corrective actions are described, where applicable, in the Findings/Comments/Recommendations section of each checklist and in the body of the final report.

3. NCTD has stated to staff they accept all recommendations as stated in the draft report and will develop the necessary corrective action plans.

THEREFORE, IT IS ORDERED THAT:

1. The Consumer Protection and Safety Division's request for approval of the final safety review report titled, "2012 Triennial On-Site Safety Review of North County Transit District," dated October 10, 2012, is granted.
2. The North County Transit District shall submit to the Rail Transit Safety Section plans and schedules for implementing all recommended corrective actions contained in the final safety review report. Those plans and schedules shall be submitted no later than 45 days from the effective date of this resolution.
3. The North County Transit District shall complete and implement all recommended corrective actions contained in the report, in accordance with the plans and schedules submitted to the Rail Transit Safety Section.
4. The North County Transit District shall prepare and provide monthly status reports to the Rail Transit Safety Section. The reports shall contain detailed information on the implementation of all remaining recommended corrective actions contained in the final safety review report. Monthly status reports shall be provided until all recommended corrective actions are implemented and completed.
5. This Resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California held on December 20, 2012; the following Commissioners voting favorably thereon:

PAUL CLANON
Executive Director

ATTACHMENT A